

REMARKS

In view of the above amendments and the following remarks, reconsideration of the outstanding office action is respectfully requested.

The July 24, 2003, personal interview between Examiners Nelson and Kubelik and applicants' undersigned attorney is gratefully acknowledged. The substance of that interview is summarized below.

All remarks set forth in applicants' June 9, 2003, Amendment are hereby reiterated.

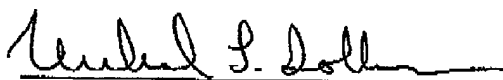
By the above amendments, claim 102 and those claims depending from it now recite a length for the second DNA molecule (also known as a silencer DNA molecule) of at least 400 nucleotides. Support for this limitation is found on page 12, lines 10 to 15 where a silencer DNA of about 400 bp is recited. The use of longer silencer DNA molecules (e.g., the 720 bp green fluorescent protein encoding DNA molecule) are set forth in the examples (see e.g., page 36, Table 3).

As amended above, claim 93 and those claims depending from it require that the plurality of fragments of DNA molecules collectively are at least 510 nucleotides in length. As demonstrated above for the embodiment with a silencer or second DNA molecule, traits are imparted where the length of the DNA construct is at least 510 nucleotides. Support for 400 nucleotides is demonstrated above. The additional at least 110 nucleotides is provided by the trait or first DNA molecule (see, *inter alia*, page 44, lines 16 to 18 of the present application).

In view of all the foregoing, it is submitted that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

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Michael L. Goldman
Registration No. 30,727

NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603-1051
Telephone: (585) 263-1304
Facsimile: (585) 263-1600